

HISTORIC DISTRICT COMMISSION

Meeting Minutes

November 8, 2010

CALL TO ORDER:

Mr. Kurt Thornton, Vice-Chairperson called the meeting to order at 4:02 p.m.

ROLL CALL:

Members Present: Dan Buscher Heather Lane-Fowler
Glen Harris Kurt Thornton
Jan Hatch Mike Troutman
Doug Sofia Susan Baldwin (City Commission Liaison)

Members Absent: None

Staff Present: Christine Hilton, Planning Supervisor
Eileen Wicklund, City Attorney
Glenn Perian, Senior Planner
Leona Parrish, Admin. Assistant

ADDITIONS / DELETIONS TO AGENDA:

- 1) Add under Old Business: New Historic District Commission Resolution (Allowing City Staff to approve Minor Classes of Work)

Vice-Chairperson Mr. Kurt Thornton stated with today being Veteran's Day he wanted to say "Thank You" to any Veterans that might be present at today's meeting.

APPROVAL OF PREVIOUS MINUTES:

MOTION WAS MADE BY MR. MICHAEL TROUTMAN TO APPROVE THE MINUTES FROM OCTOBER 11, 2010 MEETING; SECONDED BY MR. DOUG SOFIA.

ALL IN FAVOR, NONE OPPOSED MOTION; MOTION CARRIED.

CORRESPONDENCE:

Received two (2) e-mails in support of demolition of 50 W. Michigan Avenue; one from Mr. John Godfrey and also Mr. Joe Pearl.

OLD BUSINESS:

New Resolution Draft - Delegating Minor Classes of Work for Staff Approval:

Mr. Mike Troutman asked if the Historic District Commission would receive notification of those properties that are approved by city staff and not needing to come before the HDC; and if the resolution noted all the types of work not requiring their approval.

Mr. Glenn Perian stated the Historic District Commission members would be receiving a monthly report of the properties receiving approval by city staff and noted that hopefully any additional types of work being approved may be added if needed at a later date.

MOTION WAS MADE BY MR. MICHAEL TROUTMAN TO APPROVE THE HISTORIC DISTRICT COMMISSION RESOLUTION AS SUBMITTED TO ALLOW DELEGATING MINOR CLASSES OF WORK FOR STAFF APPROVAL; SECONDED BY MS. JAN HATCH.

ALL IN FAVOR, NONE OPPOSED MOTION; MOTION CARRIED.

NEW BUSINESS:

50 W. Michigan Avenue (*Application for Demolition*)

Mr. Karl Dehn, CEO of Battle Creek Unlimited, was present to speak. Spoke of the transformation of the Downtown area and being a leader in "Food Protection" and improving the overall downtown development. Stated in the last six years they have been working on reducing blight and trying to gain interest in development, noted this property has been vacant for the past four years and would cost 2.2 million dollars to redevelop and would be a drain of financial resources. It can cause a reduction in property values, lost opportunity cost community wide for developers in our community that have looked at our downtown and blight. Said they would like to proceed with the demolition, would retain the exterior side walls and look at new uses for outdoor, new development, etc., and that the exterior was to be improved by lighting or murals. Stated Ms. Cheryl Beard was present also to answer any questions.

Mr. Mike Troutman asked if the exterior walls were removed, would it reveal the adjacent historic property and what was their plan. Mr. Dehn stated they would seek permission for any needed work and speculate if they could acquire the adjacent buildings.

Mr. Buscher asked if the property would remain open space with grass. Mr. Dehn stated with it being open it would provide a visual area between State Street and Michigan Avenue and they want to keep it looking good and not detract.

Reverend William Stine stated he feels the building can be refurbished and that he has persons present today that would like to submit a proposal to refurbish the building for a community museum, as a non-profit organization; so persons can come downtown to learn about Battle Creek (quoted a verse from Proverb.22). Stated if it fails they can then sell it as a good building; said he appreciates what BCU is doing but they are asking for it to be used as a museum.

Reverend Mark Whitford stated he has lived in Battle Creek all his life and is upset with the many buildings that have been torn down. Noted his father had worked at the Battle Creek Sanitarium and it is now gone. Stated BCU and Kellogg Co. have gone behind everyone's back to decide what is to be done and he recommends that if the building is torn down against the citizen wishes, that there be a Congressional hearing to investigate a need to intervene.

Mr. Bill Schroer, Chair of Downtown Partnership, owner of 2 W. Michigan Ave. was present to speak. Stated Downtown Partnership is in support of demolition of 50 W. Michigan Avenue to help eliminate blight. Noted that the building has no purpose and no historic value to the building as it was built in the 1950's.

Ms. Eileen Wicklund, City Attorney, asked that the correspondence of two emails received from Mr. John Godfrey and Mr. Joe Pearl stating their support of the demolition be read into the record as being received.

Emails read as follows:

From Mr. John Godfrey: Once I was home I found out that I will be unable to attend this afternoons HDC meeting. However, please use this email as evidence of my support for the demolition of 50 W. Michigan Ave. This building has been under utilized and deteriorating for many years as the former business limped along until it was sold. From that time on the building has been vacant and further deteriorating. The building was built many years ago and has out lived it usefulness in the downtown area. The costs to bring it up to code would NOT be worth while. Signed: John Godfrey

From Mr. Joe Pearl: I have noted with interest the planned demolition of the former Cereal City building. As a downtown stakeholder, I would like to lend my full support to this project. An open space is far better than a derelict building. We would love to see this property put to a more creative use. As a long time Battle Creek resident, I would also like to comment that this old building does not, in my view, qualify as historic. It needs to go. Signed: Joe Pearl

Mr. Kurt Thornton stated he feels it is a historic contribution but cannot stand in the way.

Mr. Larry Rizor, Architects Inc., Cass St., lives at 2407 Gethings Road was present to speak. Stated the property has an elevator and escalator in the middle with steel bones to the structure, that it can be renovated for less than what was quoted. Noted the style is 1950's and there are few buildings that have frontage on both sides, that downtown is systemic and Downtown Partnership and taxes should be used to invest in infrastructure for the downtown the same as was done in Fort Custer. Said that in 50 years Battle Creek Downtown has not grown and that it has gotten smaller than most cities; making it a rural corporate park. Stated we do not need another park that we have many within our community; and there are a number of possibilities for this property. Noted the building is the most structurally sound building in Battle Creek downtown; said next to go would be the buildings on the corner and would then leave another vacant corner. Believes Battle Creek Unlimited needs to get back on track and that this is the wrong thing to do, it is systemic because of taxes and the city is not friendly to businesses.

Mr. Bob Deal, 77 E. Michigan Ave. property owner, said we need to make downtown a better place and that it is easy to find-out the history of Battle Creek. Stated in Grand Rapids they quickly addressed those blighted and then developers took over and Grand Rapids bloomed and reinvested. Stated Kalamazoo is struggling also and that private enterprises need to do it and are choosing to go outside of downtown. Noted that Fort Custer is a good thing and made it a viable community, they now need to do the same with the downtown area.

Mr. Jim Bauer, retired architect; spoke and stated he had heard some good ideas; one for a museum, which would not be good for this building as it was built in the 50's which is not considered to be old to him. Said in 1959 the Downtown should have been a historic district as a few buildings should have went but some should have not and that today the reality is the current Historic District is too late; but was a spear for development. Noted several buildings now should be filled but are not because it is not attractive the Brownstone Building is a good building, Team Active building looks bad because of the canopy peeling. Said the downtown has potential and they need to work together, that many buildings are gone and need to get back to the 1959 era. Noted Battle Creek lost its heart in the downtown; that we need to save the truly historic buildings and do what you can to bring people back to the downtown.

Said he is for the demolition request, but need persons to want to develop that have the money to do it as we have the fiber optic cable available for the businesses.

Mr. John Hennick, property owner adjacent to 50 W. Michigan, stated he was never contacted by the City about his side wall and can BCU guarantee his building will be left intact, he was surprised they have not contacted him. Said he wants the building to stay as it has a good roof and that the building can be added onto like his building. Noted persons are welcome to come see his building.

Ms. Kathy Grosso, St. Philip School, stated demolitions are difficult as well she knows and they need to see what can be afforded; said once they get into the renovations the cost would become more than the 2 million mentioned.

Mr. John Kenefick stated he grew up in California and came to Battle Creek in 1977. Noted that one year ago the downtown transformation began and the taxpayer paid for special assessments. Said he heard it was vibrant city with the old Post Tavern etc., which are now gone. Stated most cities work on the buildings and make money on those properties; he believes you need an anchor to see where you were and where you are going. Said FYI that Kellogg Corporate Headquarters downtown and Hinman Building is a testing ground, asked if these new business revitalized the downtown; said no it has not. Mr. Kenefick told a story of the south; and that no one will come if they do not see a profit to do so.

Ms. Roberta Rocco, spoke said she lived here all her life and that the issue is revitalizing Battle Creek. Said she does not drink and there is no where for her to go because stores have moved out and that we need outlets like Birch Run that would have something for everyone. Noted that most of the Kellogg employees live in Kalamazoo and that once they leave work they go back to Kalamazoo; said we need businesses that will bring persons downtown.

Mr. Karl Dehn stated the persons who previously spoke had good comments and that the feasibility and sustainable use of a museum is a good thing; said he would like for them to submit something to show it will financially sustain the building and feels that the building at 50 W. Michigan Avenue does not support those types of uses.

Mr. Mike Troutman suggested to the public that they need to share their comments with the City Commission before they get lost.

Mr. Dan Buscher stated he appreciated the comments from the adjacent property owner regarding his exterior walls and he has concerns of their common wall area to be protected. Mr. Karl Dehn stated he would bring back a plan to show what will be done.

Ms. Heather Lane-Fowler said she is concerned with the 2.2 million dollar cost if it were to remain, and asked Battle Creek Unlimited if they have a market for the building. Mr. Dehn stated they have marketed the building and the renovation cost is too much for persons to be interested in that property.

Ms. Cheryl Beard, BCU, stated they have worked with the previous owner for two-years and that the cost is too much for the renovation of the building for prospective buyers.

Mr. Glen Harris stated there are different styles of downtown buildings and by removing this building, it would create a hole and feels their reasons why fall short and that the cost to fill would be more than 2 million dollars.

Mr. Kurt Thornton stated he is opposed to demolition and showed an example of building in New York. Stated this is a World War II building and has some history.

Ms. Eileen Wicklund stated that they need to act on the application before them within 60 days or it will be approved anyway and that they need to make a motion in favor or to the negative.

Ms. Heather Lane-Fowler asked if they could table. Ms. Wicklund stated they need to do it in 90 days and could move to postpone.

MOTION: MADE BY MR. DAN BUSCHER TO APPROVE THE APPLICATION REQUEST FOR A NOTICE TO PROCEED IN ACCORDANCE WITH CHAPTER 1470.17 "PRESERVATION OF HISTORIC FEATURES" FOR THE DEMOLITION OF PROPERTY LOCATED AT 50 W. MICHIGAN AVENUE; AS IT MEETS THE STANDARDS OUTLINED IN CHAPTER 1470.09 "REVIEW OF APPLICATIONS, AS OUTLINED IN THE STAFF REPORT": SUPPORTED BY MR. GLEN HARRIS.

Discussion:

Ms. Jan Hatch stated .64 cents per square foot to renovate does not seem to be too much.

Mayor Susan Baldwin, HDC City Commission Liaison, stated .64 cents to renovate is not much but is a very large building that has no plumbing (noted the previous owner had to leave the building because of not having any plumbing available in the building). Said need to be enough to sustain it's self and they have tried for sometime and is not conducive for redevelopment.

Mr. Mike Troutman noted the ordinance notice to precede states "shall", and meaning "have to do this," and that this resource is a deterrent to overall community improvement plan.

FOUR IN FAVOR (THORNTON, BUSCHER, SOFIA, AND TROUTMAN); THREE OPPOSED, (LANE-FOWLER, HATCH AND HARRIS); MOTION TO APPROVE PASSED.

181 W. Emmett Street *(Addition to Existing Out-Building - Family Health Center)*

Dr. A.J. Jones, President & CEO of Family Health Center was present to ask for a 21 ft. x 22 ft. addition to an existing pole building. Stated it would be of similar material and would be a continuation of the end of the current building.

Mr. Mike Troutman stated he went past the site and noticed the poles were already in place for the addition. Dr. Jones stated with the cold weather being near, they wanted to be prepared if approved.

MOTION: MADE BY MR. DOUG SOFIA TO APPROVE THE CERTIFICATE OF APPROPRIATE NESS FOR THE REQUEST AS SUBMITTED FOR THE ADDITION TO EXISTING POLE BUILDING AS IT MEETS THE SECRETARY OF INTERIORS STANDARDS AS OUTLINED IN THE STAFF REPORT FOR PROPERTY LOCATED AT 181 W. EMMETT STREET; SUPPORTED BY MS. JAN HATCH.

ALL IN FAVOR NONE OPPOSED; MOTION PASSED TO APPROVE.

51 W. Michigan Avenue *(Signage, New Awnings & Exterior Door – New Kellogg Credit Union)*

Mr. Jerry Tillmann, Sign Art Inc., on behalf of Kellogg Company Federal Credit Union was present to speak. Stated they have been looking for a location in the Downtown for sometime and are pleased to have selected this location. Noted they are asking to remove the old Gary Fields awning and replace with a new awning that will be illuminated with their logo and would be stacked with two additional tenant spaces available. Said they would have two entrances with one on McCamly Street and one on Michigan Avenue that would have the two smaller awnings that signage may be add at a later date; that the main floor would be at street level of the building and would keep consistent with what is allowed per city ordinance for signage.

Mr. Kurt Thornton asked Ms. Hilton if they could do the smaller awnings and signage at this time. Ms. Hilton stated yes, the signage is encompassed on the awnings.

Ms. Jan Hatch asked if the current tall awning would be coming down, Mr. Tillmann stated, yes.

Ms. Eileen Wicklund noted to the commission that the application has been amended to request approval of the doorways.

Ms. Christine Hilton explained the application amendment to include the doorway. Mr. Tillmann stated the architect was present to show what is proposed for the doorways for new tenants.

Mr. Glen Harris stated he feels they should only be approving what is on their application; which is the awnings and not the building fronts. Ms. Wicklund stated they can allow the petitioner to verbally amend their application to include the store front.

Mr. Mike Troutman asked if the ATM machine would match the building front. Mr. Tillmann stated, yes.

Mr. Glen Harris suggested they only approve the awning and store-front for Kellogg Credit Union.

Mr. Tillmann asked to amend their application to include the store front and awnings for the two store-fronts. Stated they would be removing the Gary Fields awnings completely.

MOTION: MADE BY MR. GLEN HARRIS TO APPROVE THE APPLICATION REQUEST FOR A CERTIFICATE OF APPROPRIATENESS TO REMOVE EXISTING AWNING AND REPLACE WITH A NEW AWNING TO INCLUDE SPACE FOR TWO ADDITIONAL TENANTS AND STORE FRONT UPDATE TO INCLUDE DOOR OPENINGS AS IT MEETS THE SECRETARY OF INTERIORS STANDARDS FOR REHABILITATION AS OUTLINED IN THE STAFF REPORT FOR PROPERTY LOCATED AT 51 W. MICHIGAN AVENUE; SUPPORTED BY MR. DAN BUSCHER.

ALL IN FAVOR NONE OPPOSED; MOTION PASSED TO APPROVE.

PUBLIC COMMENTS:

Pastor Stein spoke; stated that HDC had done their due diligence, asked if the demolition was to proceed; and if this will now go to the City Commission for approval. Pastor Stein noted that in the past this building had transformed several times and thanked the commission. It was stated no it will not need approval by the City Commission.

Reverend Mark Whitford thanked Reverend Stein for allowing him to come and allow him to see how this process was done. He had asked in the past regarding having a children's park at this location and was told it had been sold; stated the demolition needs to be thought over as once the building is gone it will be gone.

Mr. Kenefick reflected on past events in the downtown and how some have returned, like Cruise the Gut. He spoke about Battle Creek history and allowing children in the downtown area. Mr. Kenefick stated that BCU purchased for 300 thousand dollars and why it was done with tax dollars.

COMMENTS FROM COMMISSION MEMBERS AND STAFF: None

ADJOURNMENT:

Meeting was adjourned at 5:44 P.M.

Submitted by: Leona A. Parrish, Administrative Assistant, Planning Department